

**DECLARATION AND POWER OF ATTORNEY**  
**FOR UTILITY PATENT APPLICATION**  
(37 CFR 1.63)

As a below inventor, I hereby declare that:

My residence, mailing address and citizenship are as stated below next to my name.

I believe I am the original, first and sole inventor (or an original, first and joint) of the subject matter which is claimed and for which a patent is sought on the invention entitled:

**GOLF BALL**

the specification of which

\_\_\_\_\_ is attached hereto  
or  
\_\_\_\_\_ was filed on MM/DD/YYYY as United States Application Number (or PCT International Application Number) and was amended on MM/DD/YYYY (if applicable).

I hereby state that I have reviewed and understand the contents of the above-identified specification, including the claims, as amended by any amendment referred to above.

I acknowledge the duty to disclose information which is material to patentability as defined in 37 CFR 1.56, including for continuation-in-part applications, material information which became available between the filing date of the prior application and the national or PCT international filing date of the continuation-in-part application.

I hereby claim foreign priority benefits under 35 U.S.C. § 119(a)-(d) or (f), or 365(b) of any foreign application(s) for patent or inventor's certificate(s), or 365(a) of any PCT international application which designated at least one country other than the United States of America, listed below and have also identified below, by checking the box, any foreign application(s) for patent or inventor's certificate(s), or any PCT international application having a filing date before that of the application on which priority is claimed:

Prior Foreign Application Number(s)	Country	Foreign Filing Date	Priority Not Claimed	Certified Copy Attached? YES      NO

I hereby claim the benefit under 35 U.S.C. 119(e) of United States provisional application(s) listed below.

Application Number(s)	Day/Month/Year Filed	Additional Provisional Application Numbers Listed on Supplemental Priority Data Sheet Attached
60/398,379	25 JUL 2003	

I hereby claim the benefit under Title 35, United States, § 120 of any United States application(s) or any PCT international application designating the United States of America, listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States application or PCT International application in the manner provided by the first paragraph of Title 35, United States Code, § 112, I acknowledge the duty to disclose material information which is material to patentability as defined in Title 37, of Federal Regulations Code, § 1.56(a) which became available between the filing date of the prior application and the national or PCT international filing date of this application:

U.S. Parent Application or PCT Parent Number	Parent Filing Date Day/Month/Year Filed	Parent Patent Number (if applicable)

**POWER OF ATTORNEY:** As a named inventor, I hereby appoint the following attorneys to prosecute this application and transact all business in the United States Patent and Trademark Office connected therewith.

Mark E. Bandy, Brian G. Bemberick, Alan C. Brandt, John P. Cornely, E. Kent Daniels, Joseph D. Dreher, Matthew P. Dugan, Christopher B. Fagan, Patrick D. Floyd, Jude A. Fry, Steven M. Haas, Michael E. Hudzinski,	Reg. No. 35,788 Reg. No. 41,463 Reg. No. 50,218 Reg. No. 41,687 Reg. No. 19,598 Reg. No. 37,123 Reg. No. 44,663 Reg. No. 22,987 Reg. No. 39,671 Reg. No. 38,340 Reg. No. 37,841 Reg. No. 34,185	Edward T. Kennedy, Richard M. Klein, Thomas E. Kocovsky, Sandra M. Koenig, Scott A. McCollister, James W. McKee, Richard J. Minnich, Jay F. Moldovanyi, Philip J. Moy, Timothy E. Nauman, Erik J. Overberger, Sue Ellen Phillips,	Reg. No. 48,478 Reg. No. 33,000 Reg. No. 28,383 Reg. No. 33,722 Reg. No. 33,961 Reg. No. 26,482 Reg. No. 24,175 Reg. No. 29,678 Reg. No. 31,280 Reg. No. 32,283 Reg. No. 48,556 Reg. No. 32,046	Patrick R. Roche, James E. Scarbrough, Ann M. Skerry, Mark S. Svat, Brian E. Turung, Gregory S. Vickers, Robert V. Vickers, Joseph E. Waters, Thomas E. Young, John S. Zanghi,	Reg. No. 29,580 Reg. No. 47,056 Reg. No. 45,655 Reg. No. 34,261 Reg. No. 35,394 Reg. No. 19,504 Reg. No. 45,180 Reg. No. 50,427 Reg. No. 28,924 Reg. No. 48,843
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DIRECT TELEPHONE CALLS TO:	DIRECT ALL CORRESPONDENCE TO:
Michelle Bugbee, Esq. Telephone: 413/322-2937 Facsimile: 413/322-2575	Michelle Bugbee, Esq. The Top-Flite Golf Company 425 Meadow Street P.O. Box 901 Chicopee, MA 01021-0901

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both under 18 U.S.C. § 1001 and that such willful false statements may jeopardize the validity of the APPLICATION or any patent issued thereon.

**Name of First Joint Inventor:**

**GARY MATRONI**

Inventor's Signature:

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Date:

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Residence:

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And/or

**Name Second Joint Inventor:**

**THOMAS J. KENNEDY, III**

Inventor's Signature:

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Date:

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And/or

**Name Third Joint Inventor:**

**MICHAEL J. TZIVANIS**

Inventor's Signature:

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Date:

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Chicopee, MA 01020

And/or

**Name Fourth Joint Inventor:**

**MARK L. BINETTE**

Inventor's Signature:

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Date:

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Country of Citizenship:

United States

Mailing Address:

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Ludlow, MA 01056

And/or

**Name Fifth Joint Inventor:**

**DAVID M. MELANSON**

Inventor's Signature:

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Date:

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Residence:

73 Barrett Street  
Northampton, MA 01060

Country of Citizenship:

United States

Mailing Address:

73 Barrett Street  
Northampton, MA 01060

## ASSIGNMENT

Whereas, We, Gary Matroni of 127 Katherine Drive, City of Agawam, Count of Hampden, State of Massachusetts; Thomas J. Kennedy, III of 3 Mirick Lane, City of Wilbraham, County of Hampden, State of Massachusetts; Michael John Tzivanis of 36 Tolpa Court, City of Chicopee, County of Hampden, State of Massachusetts; Mark L. Binette of 241 Elizabeth Drive, City of Ludlow, County of Hampden, State of Massachusetts; and David M. Melanson of 73 Barrett Street, \$4122, City of Northampton, County of Hampshire, State of Massachusetts; having invented certain new and useful improvements in:

### **GOLF BALL**

for which we are about to make application for Letters Patent of the United States, the said application having been executed by us on this \_\_\_\_\_ day of \_\_\_\_\_, 2003, do hereby, in consideration of One Dollar (\$1.00) and other good and valuable consideration, receipt of which is hereby acknowledged, sell, assign, and transfer unto **THE TOP-FLITE GOLF COMPANY**, a Delaware corporation, having a principal place of business at:

425 Meadow Street  
P.O. Box 901  
Chicopee, MA 01021-0901

the full and exclusive right, title, and interest in and to the said invention in the United States and its territorial possessions, and in all foreign countries with all rights under the International Convention including the right to claim priority, and the entire and exclusive right, title, and interest in and to any and all Letters Patent which may be granted therefor in the United States and its territorial possessions and in any and all foreign countries, and in and to any and all divisions, reissues, continuations, continuation-in-parts, and extensions thereof.

We, therefore, authorize and request the Patent Office officials in the United States and in any and all foreign countries to issue any and all Letters Patent when granted, solely to the said

## THE TOP-FLITE GOLF COMPANY

for its sole use, and that of its successors, and assigns.

Signed at \_\_\_\_\_, on this \_\_\_\_ day of  
, 2003.

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**Gary Matroni**

STATE OF )  
COUNTY OF )  
 ): SS

Personally appeared before me this day, the above-named **Gary Matroni** to me personally known, who acknowledged that he signed the foregoing instrument for the uses and purposes therein mentioned, and that the same is his free act and deed. In testimony whereof, I have hereunto set my hand and affixed my seal, this . . . day of . . . , 2003.

**Notary Public**

Signed at \_\_\_\_\_, on this \_\_\_\_ day of  
\_\_\_\_\_, 2003.

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Michael J. Tzivanis

STATE OF \_\_\_\_\_ )  
COUNTY OF \_\_\_\_\_ )  
 ): SS  
 )

Personally appeared before me this day, the above-named **Michael J. Tzivanis** to me personally known, who acknowledged that he signed the foregoing instrument for the uses and purposes therein mentioned, and that the same is his free act and deed. In testimony whereof, I have hereunto set my hand and affixed my seal, this \_\_\_\_\_ day of \_\_\_\_\_, 2003.

**Notary Public**

Signed at \_\_\_\_\_, on this \_\_\_\_ day of  
\_\_\_\_\_, 2003.

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Mark L. Binette

STATE OF )  
COUNTY OF )  
 )  
 ) SS

Personally appeared before me this day, the above-named **Mark L. Binette** to me personally known, who acknowledged that he signed the foregoing instrument for the uses and purposes therein mentioned, and that the same is his free act and deed. In testimony whereof, I have hereunto set my hand and affixed my seal, this \_\_\_\_\_ day of \_\_\_\_\_, 2003.

## Notary Public

Signed at \_\_\_\_\_, on this \_\_\_\_\_ day of  
\_\_\_\_\_, 2003.

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David M. Melanson

STATE OF )  
                  ): SS  
COUNTY OF     )

Personally appeared before me this day, the above-named **David M. Melanson** to me personally known, who acknowledged that he signed the foregoing instrument for the uses and purposes therein mentioned, and that the same is his free act and deed. In testimony whereof, I have hereunto set my hand and affixed my seal, this \_\_\_\_\_ day of \_\_\_\_\_, 2003.

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Notary Public